

pending Office Action, Applicants continue to argue that the Restriction Requirement is improper.

In this amendment, Claim 27 has been amended. It is submitted that the amendments to Claim 27 place Claim 27 in conformance with the elected subject matter because the amended claim is directed towards a method that is similar to the elected subject matter. Therefore, it is requested that Claim 27 be examined with the elected claims.

Regarding the restriction of Claims 25 and 26, it is submitted that the Restriction Requirement is improper. It is submitted that the expansion core recited in Claims 25 and 26 should be considered with the elected claims because the expansion core acts in concert with the preform to solve the problem addressed by the present application. Therefore, it is submitted that for the above reason and because it would not place an undue burden on the Examiner to examine Claims 25 and 26 with the elected claims, that the Restriction Requirement is improper and it is requested that the Restriction Requirement be withdrawn.

Claim 28 has been rejected under 35 U.S.C. 112, second paragraph, as lacking antecedent basis. Claim 28 has been amended to address this rejection.

Claims 38-40 have been rejected under 35 U.S.C. 112, second paragraph, because they depend on a cancelled Claim. Claims 38-40 have been amended so they depend on Claim 37 rather than cancelled Claim 29. It is submitted that the amendments made to Claims 28 and 38-40 overcome the indefiniteness rejections and it is requested that the rejections be withdrawn.

Claims 1-8, 33, and 34 have been rejected under 35 U.S.C. 102(b) as anticipated by the Nilsson reference. It is submitted that this rejection is not well taken. The preform disclosed in the Nilsson reference is a cylindrical shape with a revolution axis. However, the present invention (as shown in Figure 1A) is a preform with an oval shape. It is submitted that an oval shape precludes the possibility of a revolution axis. Therefore, the present invention cannot be anticipated by the Nilsson reference because Nilsson requires a revolution axis and such an axis is not present in the claimed invention.

Additionally, it is submitted that the expansion in the Nilsson reference is necessarily isotropic (uncontrolled) in nature because a revolution axis is used. The present invention, however, uses a controlled expansion (anisotropic expansion) method. Therefore, the present invention is different from the Nilsson reference in this manner as well. Finally, Claim 1 has been amended and Claim 41 has been added in order to better define the present invention. In light of these arguments and the above amendments, it is requested that the rejection be withdrawn.

A Declaration relating to the above argumentation is presently being executed by the Applicant and the Declaration will be filed shortly as a Supplement to the Response.

On page 5 of the Office Action, the Examiner inquired as to the scope of the claims. It is submitted that the rejection of Claims 8, 33, and 34 is improper as the claims are not intended to claim the Bonnet's Nighttime Lingual Envelope. Therefore, the claims are directed to a preform only and it is requested that the rejection be withdrawn in light of the amendments and arguments set forth above.

In the event this paper is not timely filed, Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to Applicant's Deposit Account No. 01-2300.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300, referring to client-matter number 024118-0012.

Respectfully submitted,



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Attachments: Marked Up Copy of Claims
 Petition for One Month Extension of Time
 Extra Claim Transmittal

MARKED UP COPY OF CLAIMS

1. (Thrice Amended) A preform with a variable thickness, for obtaining, after deformation, wherein said deformation is carried out without the use of revolution upon an axis, a personalized orthodontic or dentofacial orthopedic apparatus characterized by a three-dimensional hollow body which has a form that allows the preform's expansion inside a mold reproducing a morphology of a subject, wherein said perform has walls and has a shape as close as possible to a predetermined final form following deformation of the preform.

27. (Thrice Amended) [An expansion mechanism for a process for] A method of manufacturing a personalized orthodontic or dento-facial orthopedic apparatus, comprising:

- a) providing a female mold based at least in part on study models created by a practitioner from a casting or castings made from a subject,
 - b) positioning a preform in the female mold,
 - c) expanding the preform with [the] an expansion mechanism so as to obtain an apparatus having a desired shape by displacement of mechanical pieces on the expansion mechanism, and
 - d) removing the apparatus from the mold and finishing the apparatus,
- wherein the perform comprises a three-dimensional hollow body with a form allowing expansion of the preform inside a mold reproducing a morphology of a subject.

28. (Four Times Amended) An orthodontic or dento-facial orthopedic apparatus manufactured according to a process comprising :

- a) providing a female mold based at least in part on study models created by a

practitioner from a casting or casting made from a subject,

- b) positioning a preform comprising a thermoplastic material in the female mold,
- c) expanding the preform so as to obtain an apparatus having a bent-back segment for inserting the fastening hook, and
- d) removing the apparatus from the mold and finishing the apparatus and comprising one or more fastening hook, wherein [the] a fastening hook is inserted into the bent-back segment of the apparatus.

38. (Amended) The process according to claim [29] 37 wherein the electrical energy is supplied by a hand-held, portable current generator.

39. (Amended) The process according to claim [29] 37 wherein the stable mechanical positioning is performed with the distal ends of electrical conductors having a clamp shape, and the distal ends are adapted to the diameter of a wire or to a shape of the hook to be inserted.

40. (Amended) The process according to claim [29] 37 wherein the electrical energy is supplied by a gun that mechanically holds a pair of rigid electrical conductors connected by flexible conductors to a fixed generator.